

Fill in this information to identify your case:

United States Bankruptcy Court for the:

EASTERN DISTRICT OF TEXAS

Case number *(if known)*

Chapter

11☐ Check if this an amended filing

Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy

4/16

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name H & M Concrete Services, LLC

2. All other names debtor used in the last 8 years

Include any assumed names, trade names and *doing business as* names

3. Debtor's federal Employer Identification Number (EIN) 45-0561219

4. Debtor's address

Principal place of business

480 VZ CR 1111
Fruitvale, TX 75127

Number, Street, City, State & ZIP Code

Van Zandt
County

Mailing address, if different from principal place of business

PO Box 183
Fruitvale, TX 75127

P.O. Box, Number, Street, City, State & ZIP Code

Location of principal assets, if different from principal place of business

Number, Street, City, State & ZIP Code

5. Debtor's website (URL) _____

6. Type of debtor

☒ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))

☐ Partnership (excluding LLP)

☐ Other. Specify: _____

Debtor **H & M Concrete Services, LLC**
Name

Case number (if known)

7. Describe debtor's business A. *Check one:*

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
- ☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
- ☐ Railroad (as defined in 11 U.S.C. § 101(44))
- ☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
- ☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
- ☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
- ☒ None of the above

B. *Check all that apply*

- ☐ Tax-exempt entity (as described in 26 U.S.C. §501)
- ☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. §80a-3)
- ☐ Investment advisor (as defined in 15 U.S.C. §80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor.
See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.

8. Under which chapter of the Bankruptcy Code is the debtor filing?*Check one:*

- ☐ Chapter 7
- ☐ Chapter 9

☒ Chapter 11. *Check all that apply:*

- ☒ Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,566,050 (amount subject to adjustment on 4/01/19 and every 3 years after that).
- ☒ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). If the debtor is a small business debtor, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if all of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- ☐ A plan is being filed with this petition.
- ☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
- ☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the *attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11* (Official Form 201A) with this form.
- ☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

☐ Chapter 12**9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?**

- ☒ No.
- ☐ Yes.

If more than 2 cases, attach a separate list.

District	_____	When	_____	Case number	_____
District	_____	When	_____	Case number	_____

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?

- ☒ No
- ☐ Yes.

List all cases. If more than 1, attach a separate list

Debtor	_____	Relationship	_____
District	_____	When	_____
		Case number, if known	_____

Debtor **H & M Concrete Services, LLC**
Name

Case number (if known)

11. Why is the case filed in this district?*Check all that apply:*

- ☒ Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.
- ☐ A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?☒ No☐ Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.**Why does the property need immediate attention?** (*Check all that apply.*)☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.

What is the hazard? _____

☐ It needs to be physically secured or protected from the weather.☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).☐ Other _____**Where is the property?** _____

Number, Street, City, State & ZIP Code

Is the property insured?☐ No☐ Yes. Insurance agency _____

Contact name _____

Phone _____

Statistical and administrative information**13. Debtor's estimation of available funds***Check one:*

- ☒ Funds will be available for distribution to unsecured creditors.
- ☐ After any administrative expenses are paid, no funds will be available to unsecured creditors.

14. Estimated number of creditors☒ 1-49☐ 50-99☐ 100-199☐ 200-999☐ 1,000-5,000☐ 5001-10,000☐ 10,001-25,000☐ 25,001-50,000☐ 50,001-100,000☐ More than 100,000**15. Estimated Assets**☒ \$0 - \$50,000☐ \$50,001 - \$100,000☐ \$100,001 - \$500,000☐ \$500,001 - \$1 million☐ \$1,000,001 - \$10 million☐ \$10,000,001 - \$50 million☐ \$50,000,001 - \$100 million☐ \$100,000,001 - \$500 million☐ \$500,000,001 - \$1 billion☐ \$1,000,000,001 - \$10 billion☐ \$10,000,000,001 - \$50 billion☐ More than \$50 billion**16. Estimated liabilities**☐ \$0 - \$50,000☐ \$50,001 - \$100,000☐ \$100,001 - \$500,000☒ \$500,001 - \$1 million☐ \$1,000,001 - \$10 million☐ \$10,000,001 - \$50 million☐ \$50,000,001 - \$100 million☐ \$100,000,001 - \$500 million☐ \$500,000,001 - \$1 billion☐ \$1,000,000,001 - \$10 billion☐ \$10,000,000,001 - \$50 billion☐ More than \$50 billion

Debtor **H & M Concrete Services, LLC**
Name

Case number (if known)

Request for Relief, Declaration, and Signatures**WARNING --** Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.**17. Declaration and signature
of authorized
representative of debtor**

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on **July 21, 2017**
MM / DD / YYYY**X /s/ Heath Yates**

Signature of authorized representative of debtor

Heath Yates

Printed name

Title **Managing Member****18. Signature of attorney****X /s/ Eric A. Liepins**

Signature of attorney for debtor

Date **July 21, 2017**

MM / DD / YYYY

Eric A. Liepins

Printed name

Eric A. Liepins P.C.

Firm name

**12770 Coit Road
Suite 1100
Dallas, TX 75251**

Number, Street, City, State & ZIP Code

Contact phone **972-991-5591**Email address **eric@ealpc.com****12338110**

Bar number and State

Fill in this information to identify the case:Debtor name **H & M Concrete Services, LLC**United States Bankruptcy Court for the: **EASTERN DISTRICT OF TEXAS**

Case number (if known): _____

☐ Check if this is an
amended filing**Official Form 204****Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders****12/15**

A list of creditors holding the 20 largest unsecured claims must be filed in a Chapter 11 or Chapter 9 case. Include claims which the debtor disputes. Do not include claims by any person or entity who is an insider, as defined in 11 U.S.C. § 101(31). Also, do not include claims by secured creditors, unless the unsecured claim resulting from inadequate collateral value places the creditor among the holders of the 20 largest unsecured claims.

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
Capital Pumping 3200 Steck Ave., Suite 220 Austin, TX 78757						\$1,000.00
Cashway Rental PO Box 591 Odessa, TX 79760						\$7,485.00
Cementos Ready Mix LLC PO Box 69367 Odessa, TX 79769						\$86,000.00
Ingram PO Box 1166 Brownwood, TX 76804						\$35,000.00
IRS 1100 Commerce Mail Code 5027 Dallas, TX 75242						\$0.00
Jerry's Super Markets, Inc. 532 W. Jefferson Dallas, TX 75208						\$3,000.00
Jezco Rentals, Inc. 1200 S. Big Sprigs Midland, TX 79701						\$1,000.00
Netrma Processing PO Box 16777 Austin, TX 78761-6777						\$75.00
Pls Check Cashers of Texas, L.P. 800 Torie Boulevard, Suite 200 Oak Brook, IL 60523						\$2,070.00

Debtor **H & M Concrete Services, LLC**

Case number (if known)

Name

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services,	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
Spring Leaf Financial Services PO Box 200049 Kennesaw, GA 30156-9246				\$30,000.00	\$25,000.00	\$5,000.00
Sunbelt Rentals, Inc. PO Box 409211 Atlanta, GA 30384-9211						\$4,500.00
US Concrete c/o Harrell Paillet & Associates 5454 La Sierra Drive Suite 100 Dallas, TX 75231						\$0.00

Ally
PO Box 380902
Minneapolis, MN 55438-0902

Annette Jarvis
136 South Main Street
Suite 1000
Salt Lake City, UT 84101

Austin Bank
3400 W. Marshall Avenue
Longview, TX 75604

Capital Pumping
3200 Steck Ave., Suite 220
Austin, TX 78757

Cashway Rental
PO Box 591
Odessa, TX 79760

Cementos Ready Mix LLC
PO Box 69367
Odessa, TX 79769

Financial Pacific LEasing
P.O. Box 4568
Auburn, WA 98001

Glenn Phillips
1003 Stone Road
Kilgore, TX 75662

Heath Yates
480 VZ CR 1111
Fruitvale, TX 75127

Ingram
PO Box 1166
Brownwood, TX 76804

IRS
1100 Commerce
Mail Code 5027
Dallas, TX 75242

Jerry's Super Markets, Inc.
532 W. Jefferson
Dallas, TX 75208

Jezco Rentals, Inc.
1200 S. Big Sprigs
Midland, TX 79701

Mark Blenden Lae Firm
P.O. Box 560326
Dallas, TX 75356

Matthew Wright
12620 FM 1960 Road West
Suite A-4, Box 304
Houston, TX 77065

Netrma Processing
PO Box 16777
Austin, TX 78761-6777

Pls Check Cashers of Texas, L.P.
800 Torie Boulevard, Suite 200
Oak Brook, IL 60523

PMT Solutions
2330 130th Ave NE
Suite C 101
Bellevue, WA 98005

Spring Leaf Financial Services
PO Box 200049
Kennesaw, GA 30156-9246

Sunbelt Rentals, Inc.
PO Box 409211
Atlanta, GA 30384-9211

Team Funding Solution
5351 Thunder Creek Road
Austin, TX 78759

The Murkin Group, LLC
11701 Belcher Road
Suite 110
Largo, FL 33773

US Concrete
c/o Harrell Paillet & Associates
5454 La Sierra Drive
Suite 100
Dallas, TX 75231

Wells Fargo
PO Box 105743
Atlanta, GA 30348-5743

**United States Bankruptcy Court
Eastern District of Texas**

In re **H & M Concrete Services, LLC**

Debtor(s)

Case No.

Chapter

11

CORPORATE OWNERSHIP STATEMENT (RULE 7007.1)

Pursuant to Federal Rule of Bankruptcy Procedure 7007.1 and to enable the Judges to evaluate possible disqualification or recusal, the undersigned counsel for **H & M Concrete Services, LLC** in the above captioned action, certifies that the following is a (are) corporation(s), other than the debtor or a governmental unit, that directly or indirectly own(s) 10% or more of any class of the corporation's(s') equity interests, or states that there are no entities to report under FRBP 7007.1:

☒ None [*Check if applicable*]

July 21, 2017

Date

/s/ Eric A. Liepins

Eric A. Liepins 12338110

Signature of Attorney or Litigant

Counsel for **H & M Concrete Services, LLC**

Eric A. Liepins P.C.

12770 Coit Road

Suite 1100

Dallas, TX 75251

972-991-5591 Fax:972-991-5788

eric@ealpc.com